IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 10TH DECEMBER 2007 / 19TH AGRAHAYANA 1929

Bail Appl..No. 7602 of 2007()

CMP.9793/2007 of J.M.F.C.-I,KOTTARAKKARA
CR.NO.80/07 OF EZHUKONE EXCISE RANGE.

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PETITIONER/ACCUSED

MOHANAN, S/O.THANKAPPAN, KARIKKATHIL VEEDU, MUTTARA MURI, ODANAVATTOM VILLAGE, KOLLAM DISTRICT.

BY ADV. SRI.A.MUHAMMED RAFFI

RESPONDENTS: STATE

STATE OF KERALA, REPRESENTED BY EXCISE INSPECTOR, EZHUKONE, THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA AT ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 7602 of 2007

Dated this the 10th day of December, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 50 litres of Wash on 13/11/07. Investigation is in progress. The petitioner continues in custody from that date. The petitioner has no criminal antecedents, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigator is granted time till 13/12/2007 to complete the investigation and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 13/12/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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